

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

JOHN WALTER BARNES,)
)
 Plaintiff,)
)
 vs.)
)
 OKMULGEE COUNTY CRIMINAL)
 JUSTICE AUTHORITY, *et al.*,)
)
 Defendants.)

Case No. CIV-13-241-JHP-SPS

OPINION AND ORDER
DENYING MOTION FOR APPOINTMENT OF COUNSEL

Plaintiff has filed a motion requesting the court to appoint counsel (Dkt. # 12). He bears the burden of convincing the court that his claim has sufficient merit to warrant appointment of counsel. *McCarthy v. Weinberg*, 753 F.2d 836, 838 (10th Cir. 1985) (citing *United States v. Masters*, 484 F.2d 1251, 1253 (10th Cir. 1973)). After carefully reviewing the merits of plaintiff's claims, the nature of the factual issues raised, plaintiff's ability to investigate crucial facts and present his claims and the complexity of the legal issues involved herein, this Court finds that appointment of counsel is not warranted. *Williams v. Meese*, 926 F.2d 994, 996 (10th Cir. 1991). Accordingly, plaintiff's motion (Dkt. # 12) is **denied**.

IT IS SO ORDERED on this 24th day of September, 2013.


James H. Payne
United States District Judge
Eastern District of Oklahoma